

MARIO U. ZAMORA, #258721
CHRISTINA G. DI FILIPPO, #327255
GRISWOLD, LaSALLE, COBB,
DOWD & GIN, L.L.P.
111 E. Seventh Street
Hanford, CA 93230
Telephone: (559) 584-6656
Facsimile: (559) 582-3106
E-mails: zamora@griswoldlasalle.com; difilippo@griswoldlasalle.com
Attorneys for: Defendants, City of Hanford, Hanford Police Department, Parker Sever, Gabriel Jimenez, James Lutz, Karl Anderson, and James Edlund

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PATRICK JURDON,
Plaintiff,
vs.

Case No.: 1:23-cv-01695

**DEFENDANTS' ANSWER TO FIRST
AMENDED COMPLAINT**

CITY OF HANFORD; CITY OF HANFORD
POLICE DEPARTMENT; PARKER SEVER,
In His Individual and Official Capacity;
GABRIEL JIMENEZ, In His Individual
Capacity; JAMES LUTZ, In His Individual
Capacity; KARL ANDERSON, In His
Individual Capacity; JAMES EDLUND, In
His Individual Capacity; AND DOES 1
THROUGH 50, INCLUSIVE,
Defendants.

Defendants, CITY OF HANFORD, HANFORD POLICE DEPARTMENT, PARKER SEVER,
GABRIEL JIMENEZ, JAMES LUTZ, KARL ANDERSON, AND JAMES EDLUND
(collectively "Defendants") hereby answer the First Amended Complaint as follows:

INTRODUCTION

1. Responding to Paragraph 1, Defendants deny said allegations.
2. Responding to Paragraph 2, Defendants deny said allegations.

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PARTIES

3. Responding to Paragraph 3, admit he was a police officer with Hanford Police Department, deny all other allegations. Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

4. Responding to Paragraph 4, Defendants deny the allegation that Parker Sever is employed by the Hanford Police Department and does not live in Kings County anymore.

5. Responding to Paragraph 5, Defendants admit said allegations.

6. Responding to Paragraph 6, Defendants admit said allegations.

7. Responding to Paragraph 7, Defendants admit said allegations.

8. Responding to Paragraph 8, Defendants admit said allegations.

9. Responding to Paragraph 9, Defendants admit said allegations.

10. Responding to Paragraph 10, Defendants admit said allegations.

11. Responding to Paragraph 11, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

12. Responding to Paragraph 12, Defendants admit said allegations.

13. Responding to Paragraph 13, Defendants deny said allegations.

RESPONDEAT SUPERIOR

14. Responding to Paragraph 14, Defendants deny said allegations.

RATIFICATION, ADOPTION AND AUTHORIZATION

15. Responding to Paragraph 15, Defendants deny said allegations.

16. Responding to Paragraph 16, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

17. Responding to Paragraph 17, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

18. Responding to Paragraph 18, Defendants deny said allegations.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

19. Responding to Paragraph 19, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

WORKERS' COMPENSATION EXCLUSIVITY DOES NOT APPLY

20. Responding to Paragraph 20, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

STATEMENT OF FACTS

21. Responding to Paragraph 21, Defendants deny said allegations.

22. Responding to Paragraph 22, Defendants deny said allegations.

PROTECTED ACTIVITY

23. Responding to Paragraph 23, Defendants admit said allegations.

24. Responding to Paragraph 24, Defendants admit said allegations.

25. Responding to Paragraph 25, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

26. Responding to Paragraph 26, Defendants deny said allegations.

ACT OF RETALIATION AND HARASSMENT

27. Responding to Paragraph 27, Defendants deny said allegations.

28. Responding to Paragraph 28, Defendants deny said allegations.

29. Responding to Paragraph 29, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

30. Responding to Paragraph 30, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

31. Responding to Paragraph 31, Defendants deny said allegations.

32. Responding to Paragraph 32, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

33. Responding to Paragraph 33, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

34. Responding to Paragraph 34, Defendants deny said allegations.

35. Responding to Paragraph 35, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

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36. Responding to Paragraph 36, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

37. Responding to Paragraph 37, Defendants are without sufficient information to admit or deny the allegations contained therein, and on this basis denies said allegations.

38. Responding to Paragraph 38, Defendants deny said allegations.

FIRST CAUSE OF ACTION

39. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

40. Responding to Paragraph 40, to the extent that this paragraph contains legal contentions, no response from Defendants is required.

41. Responding to Paragraph 41, to the extent that this paragraph contains legal contentions, no response from Defendants is required.

42. Responding to Paragraph 42, Defendants deny said allegations.

43. Responding to Paragraph 43, Defendants deny said allegations.

SECOND CAUSE OF ACTION

44. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

45. Responding to Paragraph 45, to the extent that this paragraph contains legal contentions, no response from Defendants is required.

46. Responding to Paragraph 46, to the extent that this paragraph contains legal contentions, no response from Defendants is required.

47. Responding to Paragraph 47, to the extent that this paragraph contains legal contentions, no response from Defendants is required.

48. Responding to Paragraph 48, Defendants deny said allegations.

49. Responding to Paragraph 49, Defendants deny said allegations.

50. Responding to Paragraph 50, no allegation listed, no response.

51. Responding to Paragraph 51, Defendants deny said allegations.

52. Responding to Paragraph 52, Defendants deny said allegations.

53. Responding to Paragraph 53, Defendants deny said allegations.

THIRD CAUSE OF ACTION

54. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

55. Responding to Paragraph 55, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

56. Responding to Paragraph 56, Defendants deny said allegations.

57. Responding to Paragraph 57, Defendants deny said allegations.

58. Responding to Paragraph 58, Defendants deny said allegations.

59. Responding to Paragraph 59, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

60. Responding to Paragraph 60, Defendants deny said allegations.

61. Responding to Paragraph 61, Defendants deny said allegations.

FOURTH CAUSE OF ACTION

62. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

63. Responding to Paragraph 63, Defendants deny said allegations.

64. Responding to Paragraph 64, Defendants deny said allegations.

65. Responding to Paragraph 65, Defendants deny said allegations.

FIFTH CAUSE OF ACTION

66. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

67. Responding to Paragraph 67, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

68. Responding to Paragraph 68, Defendants deny said allegations.

69. Responding to Paragraph 69, Defendants deny said allegations.

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SIXTH CAUSE OF ACTION

70. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

71. Responding to Paragraph 71, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

72. Responding to Paragraph 72, Defendants deny said allegations.

73. Responding to Paragraph 73, Defendants deny said allegations.

74. Responding to Paragraph 74, Defendants deny said allegations.

75. Responding to Paragraph 75, Defendants deny said allegations.

SEVENTH CAUSE OF ACTION

76. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

77. Responding to Paragraph 77, Defendants deny said allegations.

78. Responding to Paragraph 78, Defendants admit said allegations.

79. Responding to Paragraph 79, Defendants deny said allegations.

80. Responding to Paragraph 80, Defendants deny said allegations.

81. Responding to Paragraph 81, Defendants deny said allegations.

82. Responding to Paragraph 82, Defendants deny said allegations.

EIGHTH CAUSE OF ACTION

83. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

84. Responding to Paragraph 84, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

85. Responding to Paragraph 85, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

86. Responding to Paragraph 86, to the extend that this paragraph contains legal contentions, no response from Defendants is required.

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1 87. Responding to Paragraph 87, to the extend that this paragraph contains legal
2 contentions, no response from Defendants is required.

3 88. Responding to Paragraph 88, Defendants admit said allegations.

4 89. Responding to Paragraph 89, Defendants deny said allegations.

5 90. Responding to Paragraph 90, Defendants deny said allegations.

6 91. Responding to Paragraph 91, Defendants deny said allegations.

7 92. Responding to Paragraph 92, Defendants deny said allegations.

8 93. Responding to Paragraph 93, Defendants deny said allegations.

9 **NINTH CAUSE OF ACTION**

10 94. Defendants incorporate by reference each admission, denial, and allegation set
11 forth in the foregoing paragraphs.

12 95. Responding to Paragraph 95, Defendants admit said allegations.

13 96. Responding to Paragraph 96, Defendants deny said allegations.

14 97. Responding to Paragraph 97, Defendants deny said allegations.

15 98. Responding to Paragraph 98, Defendants deny said allegations.

16 99. Responding to Paragraph 99, Defendants deny said allegations.

17 100. Responding to Paragraph 100, Defendants deny said allegations.

18 101. Responding to Paragraph 101, Defendants deny said allegations.

19 **TENTH CAUSE OF ACTION**

20 102. Defendants incorporate by reference each admission, denial, and allegation set
21 forth in the foregoing paragraphs.

22 103. Responding to Paragraph 103, to the extend that this paragraph contains legal
23 contentions, no response from Defendants is required.

24 104. Responding to Paragraph 104, to the extend that this paragraph contains legal
25 contentions, no response from Defendants is required.

26 105. Responding to Paragraph 105, Defendants deny said allegations.

27 106. Responding to Paragraph 106, Defendants deny said allegations.

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ELEVENTH CAUSE OF ACTION

107. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

108. Responding to Paragraph 108, to the extent that this paragraph contains legal contentions, no response from Defendants is required.

109. Responding to Paragraph 109, Defendants deny said allegations.

110. Responding to Paragraph 110, Defendants deny said allegations.

111. Responding to Paragraph 111, Defendants deny said allegations.

112. Responding to Paragraph 112, Defendants deny said allegations.

113. Responding to Paragraph 113, Defendants deny said allegations.

114. Responding to Paragraph 114, Defendants deny said allegations.

115. Responding to Paragraph 115, Defendants deny said allegations.

116. Responding to Paragraph 116, Defendants deny said allegations.

117. Responding to Paragraph 117, Defendants deny said allegations.

TWELFTH CAUSE OF ACTION

118. Defendants incorporate by reference each admission, denial, and allegation set forth in the foregoing paragraphs.

119. Responding to Paragraph 119, Defendants deny said allegations.

120. Responding to Paragraph 120, Defendants deny said allegations.

FIRST AFFIRMATIVE DEFENSE

(Failure To State A Cause Of Action)

AS A FIRST, SEPARATE AND AFFIRMATIVE DEFENSE to Plaintiff's First Amended Unverified Complaint, and each and every Cause of Action thereof, these answering Defendants allege that, at all times mentioned in the First Amended Unverified Complaint on file herein fails to state a Cause of Action against these answering Defendants barring Plaintiff from any and all recovery from these answering Defendants or against any defendant.

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SECOND AFFIRMATIVE DEFENSE

(Conclusory Complaint)

AS A FURTHER, SEPARATE AND AFFIRMATIVE DEFENSE to Plaintiff's First Amended Unverified Complaint, each and every Cause of Action thereof, these answering Defendants allege that because the First Amended Unverified Complaint is couched in conclusionary terms, answering Defendants cannot fully anticipate all affirmative defenses that may be applicable to the within action. Accordingly, the right to assert additional affirmative defenses, if and to the extent that such affirmative defenses are applicable, is hereby reserved.

THIRD AFFIRMATIVE DEFENSE

(Failure To State A Claim)

AS A FURTHER, SEPARATE AND AFFIRMATIVE DEFENSE, to Plaintiff's First Amended Unverified Complaint, each and every Cause of Action thereof, these answering Defendants allege that Plaintiff's First Amended Unverified Complaint fails to state any claim upon which relief can be granted barring Plaintiff from any and all recovery from these answering Defendants.

FOURTH AFFIRMATIVE DEFENSE

(Lack Of Standing)

AS A FURTHER, SEPARATE AND AFFIRMATIVE DEFENSE, to Plaintiff's Complaint, each and every Cause of Action thereof, these answering Defendants allege that the First Amended Unverified Complaint on file herein fails to state a Cause of Action against these answering Defendants and each and every other Defendant in this action and each Cause of Action thereof in that Plaintiff lacks standing to bring this action barring Plaintiff from any and all recovery from these answering Defendants.

PRAYER

WHEREFORE, Defendants requests judgment as follows:

1. That Plaintiff takes nothing and is awarded no relief by reason of the First Amended Complaint;
2. That the Court dismiss the First Amended Complaint in its entirety with prejudice;

1 3. That Defendants be awarded its costs of suit, including its attorneys' fees to the extent
2 permitted by law or contract; and

3 4. For such other and further relief as the Court may deem just and proper.

4 Dated: April 1, 2024

GRISWOLD, LaSALLE, COBB,
DOWD & GIN, L.L.P.

By: /s/ Christina G. Di Filippo

CHRISTINA G. DI FILIPPO

Attorneys for: Defendants, City of Hanford,
Hanford Police Department, Parker Sever,
Gabriel Jimenez, James Lutz, Karl Anderson,
and James Edlund

CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2024, a copy of the foregoing was electronically filed using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record who are deemed to have consented to electronic service:

Charles A. Bonner, cbonner799@aol.com
A. Cabral Bonner, cabral@bonnerlaw.com
Law Offices of Bonner & Bonner

Attorneys for Plaintiff

Jesse P. Ryder, ryderlawfirm@gmail.com

By: /s/ Daniela Beccari
DANIELA BECCARI